

**REMARKS**

Claims 1-17 are pending in the present application. Claims 1-17 are rejected. Claims 1, 7 and 11 are herein amended. Claims 15-17 are herein canceled.

Support for this amendment can be found in the specification as originally filed. Applicants consistently refer to the first polyester resin in the specification as "crosslinked", whereas the second resin is not so called. Page 11, lines 16-22 describe how to crosslink the first polyester resin. Table 1 shows that in the Examples, the first resin (1-1 to 1-5) contains a crosslinking component, whereas the second resin (2-1 to 2-5) does not. Applicants submit that no new matter is introduced by this amendment.

Applicants submit that the claimed invention, as herein amended, patentably distinguishes over the cited art and defines patentable subject matter. Applicants earnestly request withdrawal of the rejections and passage of the claims to issue.

Should the Examiner deem that any further action by Applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone Applicants' undersigned attorney at the telephone number indicated below.

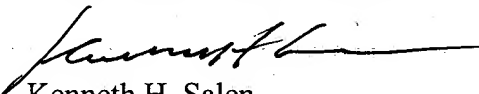
**Yasushige NAKAMURA et al.**  
Serial No. 09/935,668

Group Art Unit: 1753  
Examiner: Janis L. Dote

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension, or any other fees that may be due with respect to this paper, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

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Enclosures: Version with Markings to Show Changes Made

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**IN THE SPECIFICATION:**

**Please amend the paragraph beginning on page 13, line 16 as follows:**

In the color toner of the present invention, the colorant to be dispersed in the binder resin includes various publicly known dyes and pigments and can be arbitrarily selected and used. Preferred examples of the colorant include, but are not limited to, carbon black, lamp black, iron black, ultramarine blue, nigrosin dye, aniline blue, chalco oil blue, DuPont oil red, quinoline yellow, methylene blue chloride, phthalocyanine blue, phthalocyanine green, ~~hansa~~ HANSA yellow, rhodamine 6C lake, chome yellow, quinacridon, benzidine yellow, malachite green, malachite green hexanoate, oil black, azo oil black, rose bengal, monoazo pigment, disazo pigment, and trisazo pigment. These colorants may be used alone, or used in combination to obtain a desired toner color.

**IN THE CLAIMS:**

**Please amend the claims as follows:**

1. (Twice amended) An imaging color toner comprising at least a binder resin, a colorant and an infrared absorber, wherein

the binder resin contains, as a principal component, a polyester resin obtained by mixing a first polyester resin with a second polyester resin in a weight ratio of 80:20 to 20:80;

the first polyester resin is a ~~non-linear~~ crosslinked polyester resin having a softening point Tsp of not lower than 120°C and lower than 170°C, and also contains 1 to 25 parts by weight of a chloroform-insoluble content as the component; and

the second polyester resin is a ~~linear~~ non crosslinked polyester resin having a softening point Tsp of not lower than 80°C and lower than 110°C, wherein the toner is capable of being photofixed.

7. (Twice amended) A method of forming a color image on a recording medium which comprises the steps of forming an electrostatic latent image by image exposure, visualizing the electrostatic latent image by development, transferring the visualized image onto the recording medium and fixing the transferred image, wherein

a developing agent comprising a color toner, which comprises at least a binder resin, a colorant and an infrared absorber, is used in the step of developing the electrostatic latent image,

the binder resin containing, as a principal component, a polyester resin obtained by mixing a first polyester resin with a second polyester resin in a weight ratio of 80:20 to 20:80;

the first polyester resin being a ~~non-linear~~ crosslinked polyester resin having a softening point Tsp of not lower than 120°C and lower than 170°C, and also containing 1 to 25 parts by weight of a chloroform insoluble content as the component; and

the second polyester resin being a ~~linear~~ non crosslinked polyester resin having a softening point Tsp of not lower than 80°C and lower than 110°C; and

a photofixing system is used at a light emission energy density ranging from 1.0 to 6.0 J/cm<sup>2</sup> in the step of fixing the transferred image after transferring the image visualized by using the developing agent onto the recording medium.

11. (Twice amended) An apparatus for forming a color image on a recording medium comprising an image exposing device for forming an electrostatic latent image, a developing device for visualizing the electrostatic latent image, an image transferring device for transferring the visualized image onto the recording medium, and an imaging fixing device for fixing the transferred image onto the recording medium, wherein

the developing device is loaded with a developing agent containing a color toner, which comprises at least a binder resin, a colorant and an infrared absorber,

the binder resin containing, as a principal component, a polyester resin obtained by mixing a first polyester resin with a second polyester resin in a weight ratio of 80:20 to 20:80;

the first polyester resin being a ~~non-linear~~ crosslinked polyester resin having a softening point Tsp of not lower than 120°C and lower than 170°C, and also containing 1 to 25 parts by weight of a chloroform-insoluble content as the component; and

the second polyester resin being a linear non crosslinked polyester resin having a softening point Tsp of not lower than 80°C and lower than 110°C; and

the image fixing device being provided with a photofixing device having a light emission energy density ranging from 1.0 to 6.0 J/cm<sup>2</sup>.